

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL J. GHIORZI,

Plaintiff,

vs.

WHITEWATER POOLS AND SPAS, INC., *et al.*,

Defendants.

Case No. 2:10-cv-01778-JCM-PAL

ORDER

(Mtn to Withdraw - Dkt. #41)

This matter is before the court on the Motion to Withdraw as Attorney of Record (Dkt. #41) filed April 29, 2011. Rebecca A. Fuller seeks to withdraw as counsel of record for Plaintiff Michael J. Ghiorzi. The Motion represents that Ms. Fuller has been experiencing health problems requiring both hospitalization and bed rest, necessitating a severe reduction in caseload and work hours. Ms. Fuller has advised her client of these issues and has counseled him to seek other counsel. Local Rule IA 10-6 provides that “no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result.” This case was removed on August 25, 2010.

Ms. Fuller also advises that, due her inability to work, she missed the deadline to file Plaintiff’s expert disclosures and has requested a brief extension of the disclosure deadline in order for Plaintiff to obtain new counsel and disclose his expert.

Having reviewed and considered the matter, and for good cause shown,

IT IS ORDERED:

1. The Motion to Withdraw (Dkt. #41) is **GRANTED**.
2. Plaintiff shall have until **May 20, 2011**, in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice or to file a statement that he will be proceeding *pro se*.

3. A status hearing is set for **May 24, 2011, at 10:45 a.m.**, in Courtroom 3B. At the hearing the court will address any requests for adjustments of the court's discovery plan and scheduling order.

4. Failure to comply with this order may result in sanctions.

5. The Clerk of Court shall serve a copy of this Order on Plaintiff Michael Ghiorzi at:

Michael Ghiorzi
2321 Jasmine Garden Drive
Las Vegas, NV 89134

Dated this 3rd day of May, 2011.


PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE